

may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based and prescribing the duties of the county judge, Comptroller of Public Accounts and the county attorney and other proper officers in regard thereto and repealing all laws or parts of laws in conflict herewith; requiring licenses to be issued under this act and prescribing the continuation in force of licenses issued under prior laws for sixty days after this act takes effect in order to give time for securing licenses under this act, and providing that credit be allowed upon licenses to be obtained under this act in an amount equal to the unearned portion or part of any existing license, and declaring an emergency," by amending Section 14 so as to require every person or firm who are engaged in the sale of intoxicating liquors or who may hereafter become engaged in the sale of intoxicating liquors in any locality in this State other than where local option is in force to keep such places of business closed from and after 7 o'clock p. m. until 7 o'clock a. m. of the next day, and to keep such places closed from 7 o'clock p. m. on Saturday until 7 o'clock a. m. on the following Monday of each week, and forbidding sale of any intoxicating liquors or the transaction of any business in such places within said hours, and prescribing penalties therefor, and declaring an emergency,"

And find the same correctly engrossed.
 ODOM, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
 Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 30, "An Act to reorganize the Seventieth Judicial District of Texas, and to fix the time of holding court in each of the counties of said Seventieth Judicial District, and to declare an emergency,"

And find the same correctly enrolled, and did this day at 9:11 a. m. present the same to the Governor for his signature.

SCHOFIELD, Chairman.

SEVENTEENTH DAY.

Hall of the House of Representatives,
 Austin, Texas,

Monday, August 15, 1910.

The House met at 9 o'clock a. m., pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following members were present:

Adams.	Johnston.
Anderson.	Kennedy.
Aston.	Lawson.
Baker of Hood.	Leach.
Baker of Panola.	Lee.
Ballengee.	Looney.
Barrett.	Maddox.
Bartlett.	Mason.
Bell.	Maxwell.
Bierschwale.	McCallum.
Bogard.	McDaniel.
Bostic.	McDonald.
Boswell.	McGown.
Bowles.	McKinney.
Branch.	Moller.
Briscoe.	Morris.
Brooks.	Munson.
Brownlee.	Nelson of Hopkins.
Buchanan.	Nelson of
Byrne.	Kaufman.
Cable.	Nickels.
Canales.	O'Bryan.
Cathey.	O'Bryant.
Caves.	Odom.
Cox.	Pearson.
Craven.	Perkins.
Crisp.	Pharr.
Crockett of	Porter.
Mitchell.	Rabb.
Cureton.	Ray.
Currey.	Rayburn.
Dalby.	Reedy.
Davis.	Reid.
Dotson.	Roach.
Driggers.	Roberson of Erath.
Elliott.	Robertson of Bell.
Fitzhugh.	Robertson of
Fuller.	Travis.
German.	Ross.
Gilmore.	Schluter.
Goodman.	Schofield.
Graham.	Self.
Hamilton of	Smith.
Childress.	Stamps.
Hamilton of	Standifer.
McCulloch.	Stead.
Harman.	Stephenson.
Haxthausen.	Stepter.
Highsmith.	Stratton.
Hill.	Tarver.
Humphrey.	Terrell of Bexar.
Hunt.	Terrell of
Jackson.	Cherokee.
Jennings.	Tillotson.
Johnson.	Turner.

Vaughan.	Wilson.
Werner.	Wortham.
Wilburn.	
Absent.	
Brookshire.	Lively.
Chaney.	Matthews.
Fant.	McLain.
Flournoy.	Spradley.
Keeble.	Wahrmund.

Absent—Excused.

Brown.	Ralston.
Crawford.	Strickland.
Crockett of	Turney.
Washington.	Von Rosenberg.
Luce.	Walter.
Minton.	Watson.
Penn.	Yantis.

A quorum was announced present.

Prayer by Rev. Dr. G. B. Butler,
pastor First Baptist Church of Austin.

LEAVE OF ABSENCE GRANTED.

On account of important business:

Mr. Turney for balance of this session, on motion of Mr. Turner.

Mr. Byrne for last Friday and Saturday, on motion of Mr. Gilmore.

Mr. Von Rosenberg for today and indefinitely, on motion of Mr. Rabb.

Mr. Fant for last Saturday, on motion of Mr. Dalby.

Mr. Crawford for today, on motion of Mr. McCallum.

Mr. Minton for this morning, on motion of Mr. Reedy.

Mr. Watson for this morning, on motion of Mr. Jennings.

On account of sickness:

Mr. Haxthausen for last Thursday, Friday and Saturday, on motion of Mr. Highsmith.

Mr. Penn for today, on motion of Mr. Schluter.

Mr. Yantis for Saturday and indefinitely, on motion of Mr. Cox.

Mr. Kennedy for Saturday afternoon, on motion of Mr. O'Bryan.

BILL ORDERED PRINTED.

On motion of Mr. Moller, it was ordered that 500 copies of House bill No. 9, the "bill of lading" bill, be printed.

SENATE BILL NO. 11 ON THIRD READING.

The Speaker laid before the House, on third reading and final passage,

Senate bill No. 11, A bill to be entitled "An Act to amend Chapter 16 of the

Acts of the Regular Session of the Thirty-first Legislature of the State of Texas, approved February 20, 1909, entitled 'An Act authorizing any county in the State of Texas, having a population in excess of fifty thousand inhabitants, by the last preceding United States census, to submit to the qualified voters the propriety of a bond issue for the construction and maintenance of causeways, viaducts, bridges and approaches across any rivers within the limits of such county, and to provide for the construction, maintenance and use of such causeways, viaducts, bridges and approaches, and declaring an emergency,' by adding thereto Sections 9a and 9b, providing a method by which counties may acquire land upon which to construct and maintain said causeways, viaducts, bridges and approaches by condemnation and by grant from cities and counties of the right to use streets, alleys, public highways and public grounds, and to authorize counties to construct said causeways, viaducts, bridges and approaches across the lines of railway, telegraph and telephone corporations, and the method thereof, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—96.

Adams.	Dalby.
Anderson.	Davis.
Aston.	Dotson.
Baker of Hood.	Driggers.
Baker of Panola.	Elliott.
Barrett.	Fitzhugh.
Bell.	Fuller.
Bierschwale.	German.
Bogard.	Gilmore.
Bostic.	Goodman.
Boswell.	Graham.
Bowles.	Hamilton of
Branch.	Childress.
Briscoe.	Hamilton of
Brooks.	McCulloch.
Brownlee.	Harman.
Buchanan.	Highsmith.
Byrne.	Hill.
Cable.	Humphrey.
Canales.	Hunt.
Cathey.	Jackson.
Cox.	Jennings.
Craven.	Johnson.
Crisp.	Johnston.
Crockett of	Lawson.
Mitchell.	Leach.
Cureton.	Lee.
Currey.	Looney

Maddox.	Reedy.
Mason.	Roach.
Maxwell.	Roberson of Erath.
McCallum.	Robertson of Bell.
McDaniel.	Ross.
McDonald.	Schluter.
McKinney.	Schofield.
Moller.	Self.
Morris.	Smith.
Munson.	Standifer.
Nelson of Hopkins.	Stephenson.
Nelson of Kaufman.	Stepter.
Nickels.	Stratton.
O'Bryan.	Tarver.
O'Bryant.	Terrell of Cherokee.
Odum.	Tillotson.
Pearson.	Turner.
Perkins.	Vaughan.
Pharr.	Werner.
Porter.	Wilburn.
Rabb.	Wilson.
Ray.	Wortham.
Rayburn.	

Present—Not Voting.

Ballengee.	Terrell of Bexar.
Robertson of Travis.	

Absent.

Bartlett.	Matthews.
Brookshire.	McGown.
Caves.	McLain.
Chaney.	Reid.
Flournoy.	Spradley.
Haxthausen.	Stamps.
Keeble.	Stead.
Kennedy.	Wahrmund.
Lively.	

Absent—Excused.

Brown.	Ralston.
Crawford.	Strickland.
Crockett of Turney.	
Washington.	Von Rosenberg.
Fant.	Walter.
Luce.	Watson.
Minton.	Yantis.
Penn.	

SENATE BILL NO. 21 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on second reading and passage to third reading,

Senate bill No. 21, A bill to be entitled "An Act to authorize and empower Lamar county or any political subdivision of said county by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county, or political subdivision thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the

assessed valuation of the real property of such county or of such political subdivision, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes and prescribing ways and means of conducting and supervising said work, and to repeal Chapter 72 of the Special Laws of the Thirty-first Legislature, creating a special road law for Lamar county, approved March 17, 1909, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 21 ON THIRD READING.

Mr. Mason moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 21 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

Adams.	Fitzhugh.
Anderson.	Fuller.
Aston.	German.
Baker of Hood.	Gilmore.
Baker of Panola.	Goodman.
Ballengee.	Graham.
Barrett.	Hamilton of
Bartlett.	Childress.
Bell.	Hamilton of
Bierschwale.	McCulloch.
Bogard.	Harman.
Bostic.	Haxthausen.
Boswell.	Highsmith.
Bowles.	Hill.
Branch.	Humphrey.
Briscoe.	Hunt.
Brooks.	Jackson.
Brownlee.	Jennings.
Buchanan.	Johnson.
Byrne.	Johnston.
Cable.	Lawson.
Canales.	Leach.
Cathey.	Lee.
Cox.	Looney.
Craven.	Maddox.
Crisp.	Mason.
Crockett of Mitchell.	Maxwell.
Cureton.	McCallum.
Dalby.	McDaniel.
Davis.	McDonald.
Dotson.	McKinney.
Driggers.	Moller.
Elliott.	Morris.
	Munson.

Nelson of Hopkins. Ross.
 Nelson of Schluter.
 Kaufman. Schofield.
 Nickels. Self.
 O'Bryan. Smith.
 Odom. Standifer.
 Pearson. Stephenson.
 Perkins. Stratton.
 Pharr. Tarver.
 Porter. Terrell of Bexar.
 Rabb. Terrell of
 Ray. Cherokee.
 Rayburn. Tillotson.
 Reedy. Turner.
 Roach. Vaughan.
 Robertson of Erath. Werner.
 Robertson of Bell. Wilburn.
 Robertson of Wilson.
 Travis. Wortham.

Absent.

Brookshire. McGown.
 Caves. McLain.
 Chaney. O'Bryant.
 Currey. Reid.
 Fant. Spradley.
 Flournoy. Stamps.
 Keeble. Stead.
 Kennedy. Stepter.
 Lively. Wahrmond.
 Matthews.

Absent—Excused.

Brown. Ralston.
 Crawford. Strickland.
 Crockett of Turney.
 Washington. Von Rosenberg.
 Luce. Walter.
 Minton. Watson.
 Penn. Yantis.

The Speaker laid the bill before the House, and it was read the third time.
 Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—97.

Adams. Byrne.
 Anderson. Cable.
 Baker of Hood. Cathey.
 Baker of Panola. Cox.
 Ballengee. Craven.
 Barrett. Crisp.
 Bartlett. Crockett of
 Bell. Mitchell.
 Bierschwale. Cureton.
 Bogard. Currey.
 Bostic. Dalby.
 Boswell. Davis.
 Bowles. Dotson.
 Branch. Driggers.
 Briscoe. Elliott.
 Brooks. Fitzhugh.
 Brownlee. Fuller.
 Buchanan. German.

Gilmore. Odom.
 Goodman. Pearson.
 Graham. Pharr.
 Hamilton of Porter.
 Childress. Rabb.
 Hamilton of Ray.
 McCulloch. Rayburn.
 Harman. Reedy.
 Hill. Roach.
 Humphrey. Robertson of Erath.
 Hunt. Robertson of Bell.
 Jackson. Robertson of
 Jennings. Travis.
 Johnson. Ross.
 Johnston. Schluter.
 Lawson. Schofield.
 Leach. Self.
 Lee. Smith.
 Maddox. Stamps.
 Mason. Standifer.
 Maxwell. Stephenson.
 McCallum. Stratton.
 McDaniel. Tarver.
 McDonald. Terrell of Bexar.
 McKinney. Terrell of
 Moller. Cherokee.
 Morris. Tillotson.
 Munson. Turner.
 Nelson of Hopkins. Vaughan.
 Nelson of Werner.
 Kaufman. Wilburn.
 Nickels. Wilson.
 O'Bryan. Wortham.
 O'Bryant.

Absent.

Aston. Lively.
 Brookshire. Looney.
 Canales. Matthews.
 Caves. McGown.
 Chaney. McLain.
 Fant. Perkins.
 Flournoy. Reid.
 Haxthausen. Spradley.
 Highsmith. Stepter.
 Keeble. Wahrmond.
 Kennedy.

Absent—Excused.

Brown. Stead.
 Crawford. Strickland.
 Crockett of Turney.
 Washington. Von Rosenberg.
 Luce. Walter.
 Minton. Watson.
 Penn. Yantis.
 Ralston.

HOUSE BILL NO. 35 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on second reading and passage to engrossment,

House bill No. 35, A bill to be entitled

"An Act to require the erection and maintenance of buildings for the protection from rain, wind and inclement weather of employes engaged in repairing railroad cars and other railroad equipment, and providing penalties for violations, and regulating suits for such penalties, and repealing the act of the Thirty-first (31st) Legislature of the State of Texas, entitled 'An Act to require all railroad companies doing business in this State to provide suitable premises and shelter for the protection from the weather of their employes while engaged in labor in the service of such railroad company,' approved 17th day of March, 1909."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Mr. Stephenson offered the following (committee) amendments to the bill:

(1)

Strike out all after the enacting clause of House bill No. 35, and insert in lieu thereof the following:

Section 1. That every person, corporation or receiver engaged in repairing railroad cars or other railroad equipment, not including locomotives, shall erect and maintain a building at every station or other point where as many as five men are regularly employed on such repair work, the building to cover a sufficient portion of its track so as to provide that all men regularly employed in the construction and repair of cars, trucks, or other railroad equipment, except locomotives, shall be sheltered from rain and fully protected from other inclement weather.

The provisions of this act shall not apply at points where less than five men are regularly employed in the repair service, nor at division terminals or other points where it is necessary to make light repairs on cars nor to cars loaded with time or perishable freight nor to cars when trains are being held for the movement of said cars.

Sec. 2. Any person, corporation or receiver who shall violate the provisions of this act shall be liable to the State of Texas for a penalty in any sum not less than \$50 nor more than \$100 and each day of such failure or refusal to comply with the provisions of this act shall be considered a separate infraction authorizing the recovery of a separate penalty.

Suit for recovery of penalties hereunder shall be brought by the Attorney

General of this State or by the county or district attorney of the county in which suit is brought, and the county or district attorney, as the case may be, shall receive a fee of ten (10) per cent upon each penalty recovered and collected by him in addition to the fees allowed him by law at this time and said fee shall be over and above the fees allowed under the general fee act in force in this State. Such suits shall be brought either in Travis county, Texas, or in the county where the infraction of the law occurs.

Sec. 3. That Chapter 53 of the Acts of the Regular Session of the Thirty-first Legislature, entitled "An Act to require all railroad companies doing business in this State to provide suitable premises and shelter for the protection from the weather of their employes while engaged in labor in the service of said railroad company" be, and the same is hereby repealed; that this act shall take effect ninety days after the adjournment of this Special Session; but that all persons, corporations or receivers affected by this act shall have until June 1, 1911, within which to comply with the provisions thereof.

(2)

Also strike out all before the enacting clause and insert in lieu thereof the following:

"House bill No. 35, A bill to be entitled 'An Act to require persons and corporations engaged in repairing railroad cars or other railroad equipment to erect and maintain buildings for the protection from rain, wind or other inclement weather, employes engaged in repairing railroad cars and other railroad equipment and providing penalties for the violation of this act and regulating penalties and repealing Chapter 53, Acts of the Thirty-first Legislature of the State of Texas, entitled 'An Act to require all railroad companies doing business in this State to provide suitable premises and shelter for the protection from the weather of their employes while engaged in labor in the service of said railroad companies.'"

The amendments were adopted.

Mr. Stephenson offered the following amendment to the bill:

Amend House bill No. 35 by adding at the end of the committee amendments the following:

"Section 4. The importance of the legislation proposed in this bill and the

probable early adjournment of the present session of the Legislature, rendering it improbable that this bill can be read on three several days in each house, creates an emergency and an imperative public necessity exists requiring the constitutional rule requiring bills to be read on three several days in each house, be suspended, and said rule is hereby suspended, and it is so enacted."

The amendment was adopted.

Mr. Aston offered the following amendment to the bill:

Amend committee amendment to House bill No. 35, on page 4, Section 2, line 18, by striking out all of line 18, after the word "State" and all of line 19.

The amendment was adopted.

Mr. Ballengee offered the following amendment to the bill:

Amend committee amendment, page 5, line 3, by adding after the word "companies," "and declaring an emergency."

The amendment was adopted.

Mr. Tillotson offered the following amendment to the bill:

Amend committee substitute to House bill No. 35, page 4, line 14, by striking out all of Section 2 after the word "attorney."

On motion of Mr. Stephenson, the amendment was tabled.

Mr. Highsmith offered the following amendment to the bill:

Amend House bill No. 35 by striking out the words "a building," in line 33, Section 1, page 3, and insert in lieu thereof the words "a shed."

On motion of Mr. Adams, the amendment was tabled.

Mr. Wilson offered the following amendment to the bill:

Amend the caption of the bill by adding the word "receivers" after the word "corporations," in line 33, page 4.

The amendment was adopted.

Mr. Nickels offered the following amendment to the bill:

Amend House bill No. 35 by inserting the word "only" after the word "repairs," line 2, page 4, Section 1.

The amendment was adopted.

Mr. Bell offered the following amendment to the bill:

Amend the caption of the bill after the word "equipment," in line 34, page 4, by adding the words "not including locomotives."

BELL,
WILSON.

Mr. Stephenson moved the previous question on the amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, it was adopted.

House bill No. 35 was passed to engrossment.

HOUSE BILL NO. 35 ON THIRD READING.

Mr. Stephenson moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 35 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Adams.	Hunt.
Anderson.	Jackson.
Aston.	Jennings.
Baker of Hood.	Johnson.
Baker of Panola.	Johnston.
Ballengee.	Kennedy.
Barrett.	Lawson.
Bartlett.	Leach.
Bell.	Lee.
Bogard.	Looney.
Bostic.	Maddox.
Boswell.	Mason.
Bowles.	Maxwell.
Branch.	McDaniel.
Briscoe.	McDonald.
Brooks.	McKinney.
Brownlee.	Moller.
Buchanan.	Morris.
Byrne.	Munson.
Cable.	Nelson of Hopkins.
Canales.	Nelson of
Cathey.	Kaufman.
Cox.	Nickels.
Craven.	O'Bryan.
Crisp.	O'Bryant.
Crockett of	Odom.
Mitchell.	Pearson.
Currey.	Pharr.
Dalby.	Porter.
Davis.	Rabb.
Dotson.	Ray.
Driggers.	Rayburn.
Elliott.	Reedy.
Fuller.	Reid.
German.	Roach.
Gilmore.	Roberson of Erath.
Goodman.	Robertson of Bell.
Graham.	Robertson of
Hamilton of	Travis.
Childress.	Ross.
Hamilton of	Schluter.
McCulloch.	Schofield.
Harman.	Self.
Haxthausen.	Smith.
Highsmith.	Standifer.
Humphrey.	Stephenson.

Stepter.	Tillotson.
Stratton.	Turner.
Tarver.	Vaughan.
Terrell of Bexar.	Wilburn.
Terrell of	Wilson.
Cherokee.	Wortham.

Nays—2.

Bierschwale.	Werner.
--------------	---------

Absent.

Brookshire.	Matthews.
Caves.	McCallum.
Chaney.	McGown.
Cureton.	McLain.
Fitzhugh.	Perkins.
Flournoy.	Spradley.
Hill.	Stamps.
Keeble.	Wahrmund.
Lively.	

Absent—Excused.

Brown.	Ralston.
Crawford.	Stead.
Crockett of	Strickland.
Washington.	Turney.
Fant.	Von Rosenberg.
Luce.	Walter.
Minton.	Watson.
Penn.	Yantis.

The Speaker laid the bill before the House, it was read third time and was passed.

SENATE JOINT RESOLUTION NO. 1 ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Mason, it was ordered that Senate Joint Resolution No. 1, ratifying the income tax amendment to the Federal Constitution, be not printed.

INVITING HON. N. A. SHAW TO ADDRESS HOUSE.

Mr. Hill offered the following privileged resolution:

Whereas, The Hon. N. A. Shaw, a distinguished citizen of Texas, is in the building; therefore be it

Resolved, That he be invited to address the House.

HILL,
O'BRYAN,
RAYBURN.

The resolution was read second time and was adopted.

The Speaker appointed Messrs. Hill and Rayburn to escort Mr. Shaw to the Speaker's stand.

HOUSE BILL NO. 31 ON THIRD READING.

(By Unanimous Consent.)

The Speaker laid before the House, on third reading and final passage,

House bill No. 31, A bill to be entitled "An Act making appropriation for repairing, improving and constructing a sewerage system, and for general repairs at the North Texas Hospital for the Insane, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

Mr. Gilmore offered the following amendment to the bill:

Amend House bill No. 31 by adding after the word "treasury," in line 13, the words "not otherwise appropriated."

The amendment was adopted.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—101.

Adams.	Hamilton of
Anderson.	Childress.
Aston.	Hamilton of
Baker of Hood.	McCulloch.
Baker of Panola.	Harman.
Ballengee.	Haxthausen.
Barrett.	Highsmith.
Bartlett.	Hill.
Bell.	Humphrey.
Bierschwale.	Hunt.
Bogard.	Jackson.
Bostic.	Jennings.
Boswell.	Johnson.
Bowles.	Johnston.
Branch.	Kennedy.
Briscoe.	Lawson.
Brooks.	Leach.
Brownlee.	Lee.
Buchanan.	Looney.
Byrne.	Maddox.
Cable.	Mason.
Canales.	Maxwell.
Cathey.	McDaniel.
Cox.	McDonald.
Craven.	McKinney.
Crisp.	Minton.
Crockett of	Moller.
Mitchell.	Morris.
Currey.	Munson.
Dalby.	Nelson of
Davis.	Kaufman.
Dotson.	Nickels.
Driggers.	O'Bryan.
Elliott.	O'Bryant.
Fuller.	Odom.
German.	Pearson.
Gilmore.	Perkins.
Goodman.	Pharr.
Graham.	Porter.

Rabb.	Stamps.
Ray.	Standifer.
Rayburn.	Stephenson.
Reedy.	Stepter.
Reid.	Tarver.
Roach.	Terrell of
Roberson of Erath.	Cherokee.
Robertson of Bell.	Tillotson.
Robertson of	Turner.
Travis.	Vaughan.
Ross.	Werner.
Schluter.	Wilburn.
Schofield.	Wilson.
Self.	Wortham.
Smith.	

Absent.

Brookshire.	McCallum.
Caves.	McGown.
Chaney.	McLain.
Cureton.	Nelson of Hopkins.
Fant.	Spradley.
Fitzhugh.	Stead.
Flournoy.	Stratton.
Keeble.	Terrell of Bexar.
Lively.	Wahrmund.
Matthews.	

Absent—Excused.

Brown.	Strickland.
Crawford.	Turney.
Crockett of	Von Rosenberg.
Washington.	Walter.
Luce.	Watson.
Penn.	Yantis.
Ralston.	

Mr. Gilmore moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

RELATING TO INVITATIONS TO ADDRESS HOUSE.

Mr. Schluter offered the following resolution:

Whereas, This Special Session is rapidly drawing to a close and there is much important business pending on the calendar; therefore, be it

Resolved, That no further invitations be extended to distinguished citizens of our Commonwealth to address the House while the House is in session for business.

The resolution was read and referred to the Committee on Rules.

SENATE JOINT RESOLUTION NO. 1 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House on second reading and passage to third reading,

Senate Joint Resolution No. 1, Rati-

fying the Sixteenth Amendment to the Constitution of the United States of America.

The resolution was read second time, and was passed to third reading.

HOUSE BILL NO. 37 ON THIRD READING.

On motion of Mr. Looney, by unanimous consent, the regular order of business was suspended to take up and have placed on third reading and final passage,

House bill No. 37, A bill to be entitled "An Act to amend Article 359, Chapter 4, Title 10, of the Penal Code of the State of Texas, as amended by Chapter 132 of the Acts of the Thirtieth Legislature, defining what constitutes a disorderly house, so as to include any house located in any county, justice precinct or other subdivision of a county where the sale of intoxicating liquor has been legally prohibited in which such non-intoxicating malt liquors are sold or kept for the purpose of sale as to require the seller thereof to obtain United States revenue license as a retail malt liquor dealer, or any house where the owner, proprietor or lessee thereof has posted United States internal revenue license as a retail liquor dealer or as a retail malt liquor dealer."

The Speaker laid the bill before the House, it was read third time and was passed.

Mr. Looney moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 9 ON SECOND READING.

(Special Order.)

The Speaker laid before the House as a special order, on second reading and passage to engrossment,

House bill No. 9, A bill to be entitled "An Act defining 'bills of lading' and defining the word 'carrier' as these words are used in this act; providing that it shall be the duty of carriers, their officers and agents, to issue negotiable bills of lading or straight non-negotiable bills of lading at the request of the shipper, between certain places prescribed in this act, and defining negotiable or order bills of lading and non-negotiable or straight bills of lading, and prescribing certain requirements for bills of lading; making all negotiable bills of lading negotiable by

endorsement and delivery in the same manner as bills of exchange or promissory notes, and prohibiting the placing upon negotiable bills of lading any terms which would, in any manner, limit their negotiability; providing for the division of all bills of lading into three series and defining each series; prescribing how bills of lading shall be issued and prohibiting the issuance of negotiable bills of lading in parts or sets, except as prescribed in the terms of this act; providing that all carriers shall keep posted up in certain places a written instrument authorizing their agents to sign bills of lading; prescribing the duties of carriers and their liability for failure to take up and cancel negotiable bills of lading when the goods or a part thereof have been delivered; prescribing that a court of competent jurisdiction may order goods delivered when negotiable bills of lading have been lost upon the giving of a bond by the holder of the lost bill of lading under certain conditions; prescribing certain duties of general freight agents, or persons authorized to act for them and certain duties of local station agents or carriers, and providing for the making and preservation of copies of all bills of lading, subject to the inspection of interested parties, and providing for the certification of all signatures to all bills of lading by the general freight agents of carriers, or persons authorized to act for them; prescribing that carriers shall maintain an authorized agent at all places recognized by the Federal government as ports of entry, whose duties shall be the same as those prescribed for general freight agents in this act; prescribing certain duties for ship agents, charters and owners of vessels; prescribing and defining the duties and liabilities of carriers with reference to the consignee named in a straight or non-negotiable bill of lading and to the holder of an order or negotiable bill of lading and providing that the carrier shall be estopped to deny the receipt of goods described in a bill of lading, or vary the description thereof, as contained in the bill of lading, under certain conditions named in this act; providing that the carrier shall not be liable under the provisions of this act when the goods are taken from his custody and legal possession or sold to satisfy the carrier's lien, or sold under the provisions of the law; creating and defining certain criminal offenses for the violation of the provisions of this act,

and prescribing penalties therefor; creating and defining certain criminal offenses with reference to issuance or negotiation of bills of lading, and prescribing penalties therefor, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

(Mr. Canales in the chair.)

Mr. Moller offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 9 by striking out all after the enacting clause and insert the following:

Section 1. All vessels, railroads and other transportation companies and all other common carriers and their receivers shall be known as "carriers" in and for the purposes of this act, and all bills of lading, memorandum or other instruments of writing, as provided for in Article 322 of the Revised Statutes of Texas, shall be covered by this act, and for the purposes of this act shall be known as "bills of lading."

Sec. 2. It shall be the duty of all carriers, their agents, officers or receivers, when receiving property for transportation from one place to another within this State, or for transportation between places, one of which is within this State, to issue and sign therefor bills of lading in negotiable or non-negotiable form, as requested by the shipper.

Sec. 3. Each bill of lading issued for intrastate shipments shall contain, and each bill of lading issued for interstate or foreign shipment may contain, within its written or printed terms, in addition to the other requirements of this act, the following:

- (a) The date of its issuance.
- (b) The name of the person from whom the goods have been received.
- (c) The place where the goods have been received.
- (d) The place to which the goods are to be transported.
- (e) A statements of whether the goods will be delivered to a specific person or to the order of a specific person.
- (f) A description of the goods or the packages containing them, which may, however, be in such general terms as are referred to in Section — of this act.
- (g) The signature of the carrier or the duly authorized agent of the carrier; said bill of lading shall be so signed with pen and ink, and the per-

son signing the same shall attach his signature below all written, printed or stamped matter contained in said bill of lading, except the words, "Authorized Agent of," (stating the name of his principal) which shall appear below his signature.

(h) The carrier may insert in a bill of lading issued by him any other terms and conditions, provided such terms and conditions shall not be contrary to law or public policy; and provided further, that no language shall be inserted in any bill of lading having the effect of limiting or avoiding any of the provisions of this act.

(i) Provided that when any form of bill of lading has been approved by the Interstate Commerce Commission and has been adopted by any carrier and made a part of its tariff, then such bill of lading, as to interstate and foreign shipments shall be a sufficient compliance with the provisions of this section of this act.

Sec. 4. A bill of lading in which it is stated that the goods are consigned or destined to a specific person, is a "non-negotiable" or "straight" bill of lading, and all such bills of lading shall have printed across the face thereof in large letters the words, "Non-negotiable."

Sec. 5. A bill of lading in which it is stated that the goods are consigned to the order of any person named in such bill of lading, is a "negotiable" bill of lading or "order" bill of lading, and shall have printed across the face thereof in large letters, the word "negotiable" and such bill of lading shall be and the same is hereby made negotiable by written endorsement thereon, and delivery in the same manner as bills of exchange or promissory notes. Such bills of lading shall not have placed thereon the word "non-negotiable" or words of similar import, and no printed or written conditions, clauses or provisions inserted in or attached to any such bill of lading shall in any way limit the negotiability or affect the negotiation thereof, nor in any manner impair the rights and duties of all parties thereto, or persons interested therein, and if such conditions, clauses or provisions, purporting to limit or affect the rights or liabilities created and declared by this act, shall be inserted in such bill of lading, same shall be void and of no effect. Provided, that no legal subsisting and unsatisfied lien existing on, against or upon the property embraced or covered by negotiable bills of lading at the time

such negotiable bill of lading is issued, shall be affected by the issuance of such negotiable bill of lading. Negotiable bills of lading shall not be issued in parts or sets.

Sec. 6. It shall be the duty of the carrier to keep posted for public inspection in some conspicuous place in the station or place where freight is received, an instrument of writing authorizing the agent of such carrier, selected for such purpose, to execute, sign and issue bills of lading, and the agent so selected shall attach his signature to such instrument in the same manner that he signs the bill of lading.

Sec. 7. Except when goods are sold to satisfy the carrier's lien, and except when compelled to do so by legal process, if the carrier shall deliver goods for which a negotiable bill of lading has been issued, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel such bill of lading, such carrier shall be liable for the failure to deliver the goods to any one who for value, in good faith, purchases such bill of lading, whether the purchaser acquired title to the bill of lading before or after the delivery of the goods, by the carrier, and notwithstanding the delivery of the goods was made to the person entitled thereto.

Sec. 8. Except when goods are sold to satisfy the carrier's lien, and except when compelled to do so by legal process, if a carrier delivers a part of the goods for which a negotiable bill of lading has been issued, and fails to take up and cancel the bill of lading or to place plainly upon the bill of lading that a portion of the goods have been delivered, with a description which may be in general terms, either of the goods or packages that have been so delivered, or of the goods or packages which still remain in the carrier's possession, he shall be liable for the failure to deliver all of the goods specified in the bill of lading to any one who for value, and in good faith, purchases it, whether such purchaser acquired title to the bill of lading before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto.

Sec. 9. Where a negotiable bill of lading shall have been lost or destroyed, a court of competent jurisdiction, in term time or in vacation, may order the delivery of the goods upon satisfactory proof of such loss or destruction, and upon the giving of a bond, with good

and sufficient sureties to be approved by the court, to protect the carrier or any person injured by such delivery from any liability or loss incurred by reason of the original bill of lading remaining outstanding. The court may also, in its discretion, order the payment of the carrier's reasonable costs and counsel fees; but the delivery of the goods under an order of the court, as provided for in this section, shall not relieve the carrier from liability to a person to whom the negotiable bill of lading has been, or shall be negotiated for value, and without notice of the proceedings or the delivery of the goods. Provided, that nothing herein shall prevent the carrier from delivering the property covered by such lost bill of lading to any party claiming the same, on such terms as such party and the carrier may agree upon.

Sec. 10. It shall be the duty of the general freight agent or such person authorized to act for him or in his place, of every carrier in this State to keep on file for inspection by interested parties, for a period of four months, at the station or place where issued, copies of all bills of lading signed and issued by the local agent at such point for cotton, cotton linters, cotton seed meal and cotton seed cake, and to require such local agent to forward to him (the general freight agent) a similar copy of such bill of lading, signed by such local agent, each of which said copies so forwarded the general freight agent shall keep on file in his office for inspection by interested parties for a period of four months, and it shall be the duty of said local agents to forward such copies to the general freight agent, as herein provided; such copies as herein provided for and all other copies of bills of lading issued for a lawful purpose, shall be on paper of a different color from that of the bill of lading, and shall have printed across the face thereof in large type the words "Copy—Not Negotiable."

Sec. 11. It shall be the duty of the general freight agent of every carrier in this State, or the person authorized to act for him, or in his place, on request and within forty-eight hours thereafter, Sundays and legal holidays excepted, to examine the signature of any bill of lading presented to him, issued for cotton, cotton linters, cotton seed meal or cotton seed cake, purporting to have been signed by an agent of the carrier, which they both represent, and if the signature of such agent be found to be correct and genuine, the said general freight agent, or person authorized to act for him or in his place, shall indorse upon the back of

the bill of lading the following: "The signature of.....agent of this carrier at the.....station, appearing upon the face of this bill of lading, has been examined by me and the same is correct and genuine." Which said indorsement shall be signed with pen and ink by the said general freight agent or person authorized to act for him or in his place, in his official capacity, adding thereto the date and place where signed. Provided, that the carrier shall be held only to the exercise of ordinary care and diligence in certifying such bills of lading within said period of forty-eight hours; and provided further, that the carrier shall not be held liable for the certification of bills of lading to which the signature of its local agent is forged, unless, however, such carrier fails to exercise ordinary care in certifying such forged bill of lading.

Sec. 12. It shall be the duty of all ship agents or charterers to certify to bills of lading signed by the masters of all vessels under their control; and all bills of lading issued for vessels by the authorized agent thereof shall be signed when so requested by the shipper or other party at interest, in the presence of a local banker or such other person as he or they may designate who may certify to such signature in like manner as specified in Section 11 of this act, relative to the duties of general freight agents.

Sec. 13. All carriers referred to in this act, issuing bills of lading, as herein provided shall be responsible to the consignee named in a straight bill of lading and to the holder of an order or negotiable bill of lading, who has given value in good faith therefor, relying upon the description therein of the property, whether or not such property was received by the carrier or its agent at the time of the issuance of such bill of lading, and whether or not the goods received by the carrier or its agent were correctly described in the said bill of lading; and the carrier shall be estopped to deny the receipt of the goods or to vary the description of the goods, as contained in said bill of lading. If, however, the goods are described in a bill merely by a statement of marks or labels upon them or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind of quantity, or in a certain condition, or it is stated in the bill that the packages are said to contain goods of a certain kind or quantity or in a certain condition, or that the contents or condition

of the contents of packages are unknown, or words of like purport are contained in the bill, such statements, if true, shall not make liable the carrier issuing the bill, although the goods are not of the kind or quantity or in the condition which the marks or labels upon them indicate, or of the kind or quantity or in the condition they were said to be by the consignor. The carrier may also by inserting in the bill the words "shipper's load and count" or other words of like purport indicate that the goods were loaded by the shipper and the description of them made by him; and if such statement be true the carrier shall not be liable for damages caused by the improper loading or by the non-receipt or by the misdescription of the goods described in the bill.

Sec. 14. The carrier shall not be liable under the provisions of this act, where the property is replevied or levied upon or taken from the possession of the carrier by other legal process, or has been lawfully sold to satisfy the carriers' lien, or in case of the sale or disposition of perishable, hazardous or unclaimed goods, in accordance with the law.

Sec. 15. Any carrier, agent or servant of a carrier, who shall knowingly violate any of the provisions or requirements stated in either Sections 2, 3, 6, 10 or 11 of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$500 nor more than \$1000 and by confinement in the county jail for not less than one month nor more than three months. Provided, that the penalty of imprisonment shall not apply to artificial persons.

Sec. 16. Any officer, agent or servant of a carrier, who shall knowingly issue or aid in issuing, or who shall knowingly allow a bill of lading to issue, when any part of the goods for which said bill of lading is issued have not been received by such carrier, or by an agent of such carrier, and are not in the physical possession and control of the carrier at the time of the issuance of such bill of lading, shall be guilty of a felony, and upon conviction shall be punished for such offense by a fine of not exceeding \$5000 and by imprisonment in the State penitentiary for a term not exceeding five years.

Sec. 17. Any officer, agent or servant of a carrier who knowingly issues or aids in issuing or knowingly permits to be issued parts or sets, or in dupli-

cate a negotiable bill of lading, shall be guilty of a felony, and upon conviction shall be punished for such offense by a fine not exceeding \$5000 and by imprisonment in the State penitentiary for a term not exceeding five years.

Sec. 18. Any person who negotiates or transfers for value a bill of lading knowing that any or all of the goods which by the terms of such bill of lading appear to have been received for transportation by the carrier which issued the bills of lading are not in the physical possession and control of the carrier, or the connecting carrier, without disclosing this fact, shall be guilty of a felony, and upon conviction of such offense shall be punished by a fine of not exceeding \$5000 dollars and by confinement in the State penitentiary for a term not exceeding five years.

Sec. 19. Any person who secures the issuance of a bill of lading, knowing that at the time of such issuance any or all of the goods described in such bill of lading, as received for transportation, have not been received by such carrier, or the agent of such carrier, or are not in the physical possession and control of such carrier, by inducing an officer, agent or servant of such carrier to falsely believe that such goods have been received by such carrier, or are under its control, shall be guilty of a felony, and upon conviction shall be punished for such offense by a fine not exceeding \$5000, and by confinement in the State penitentiary for a term not exceeding five years.

Sec. 20. Should it be held by the courts that this act, or any of its provisions are inapplicable to the transportation of property beginning in Texas, but terminating beyond its boundary, nevertheless this act shall continue in full force and effect in relation to the transportation of property where the bill of lading shows that such transportation is to begin and terminate in the State of Texas.

Sec. 21. The fact that the shipping season is near at hand, and that there is a universal demand that the commercial community be furnished with staple documents and particularly with reference to bills of lading in the movement of this year's cotton crop, creates an emergency and an imperative public necessity, authorizing the suspension of the constitutional rule requiring that bills be read on three several days, and that this act take effect and be in force from and after its passage, and it is so

enacted; provided, however, that the carriers and other persons affected by the provisions of this act shall have until the 15th day of October, A. D. 1910, in which to prepare and begin operations hereunder before the penalty provided for by this act shall be assessed against them or any of them.

(2)

Amend the bill by striking out all before the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act defining 'bills of lading' and defining the word 'carrier' as these words are used in this act; providing that it shall be the duty of carriers, their officers and agents to issue negotiable bills of lading or straight or non-negotiable bills of lading at the request of the shipper, between certain places prescribed in the act, and defining negotiable or order bills of lading and non-negotiable or straight bills of lading, and prescribing certain requirements for bills of lading; making all negotiable bills of lading negotiable by endorsement and delivery in the same manner as bills of exchange or promissory notes, and prohibiting the placing upon negotiable bills of lading any terms which would in any manner limit their negotiability; prescribing how bills of lading shall be issued and prohibiting the issuance of negotiable bills of lading in parts or sets; providing that all carriers shall keep posted up in certain places a written instrument authorizing their agents to sign bills of lading; prescribing the duties of carriers and their liability for failure to take up and cancel negotiable bills of lading, when the goods or a part thereof have been delivered; prescribing that a court of competent jurisdiction may order goods delivered when negotiable bills of lading have been lost upon the giving of a bond by the holder of the lost bill of lading, under certain conditions; prescribing certain duties of general freight agents, or persons authorized to act for them and certain duties of local station agents of carriers, and providing for the making and preservation of copies of certain bills of lading subject to the inspection of interested parties, and providing for the certification of all signatures to certain bills of lading by the general freight agents of carriers, or persons authorized to act for them; prescribing certain duties for ship agents, charterers and owners of ves-

sels; prescribing and defining the duties and liabilities of carriers with reference to the consignee in a straight or non-negotiable bill of lading and to the holder of an order or negotiable bill of lading and providing that the carrier shall be estopped to deny the receipt of goods described in a bill of lading, or vary the description thereof, as contained in the bill of lading under certain conditions named in this act; providing that the carrier shall not be liable under the provisions of this act when the goods are taken from his custody by legal process or sold to satisfy the carrier's lien, or sold under the provisions of the law; creating and defining certain criminal offenses for the violation of the provisions of this act, and prescribing penalties therefor; creating and defining certain criminal offenses with reference to the issuance or negotiation of bills of lading, and prescribing penalties therefor, and declaring an emergency."

The amendments were adopted.

Mr. Moller moved that the bill be considered section by section.

The motion prevailed.

Section 1 of the bill was read.

Mr. Dotson offered the following amendment to Section 1 of the bill:

Amend by striking out the enacting clause of the bill.

Question—Shall the amendment be adopted?

RECESS.

On motion of Mr. Adams, the House, at 12:05 o'clock p. m., took a recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

BILL ORDERED NOT PRINTED.

On motion of Mr. McKinney, it was ordered that Senate bill No. 20, making appropriation for certain deficiencies in appropriations for support of the State government, be not printed.

HOUSE BILL NO. 38 ON THIRD READING.

On motion of Mr. Looney, by unanimous consent, the regular order of business was suspended to take up and have placed on third reading and final passage,

House bill No. 38, A bill to be entitled

"An Act denouncing as a nuisance any place, room or building in any county, justice precinct, town, city or subdivision of a county as may be designated by the commissioners court of said county in which the sale of intoxicating liquors have been prohibited under the laws of this State, kept or used for the purpose of selling intoxicating liquor in violation of law, also denouncing as a nuisance any intoxicating liquor kept, possessed or used for such purpose and the tools, appliances and furniture used therewith, prescribing a suitable procedure for the search and seizure of any such liquor, tools, appliances and furniture, for the trial of the issue presented, the judgment to be rendered therein, also to prevent by means of the writ of injunction at the suit of the State or any citizen thereof the use or the contemplated use, or threatened use of any such place, room or building or the keeping of any such intoxicating liquor and the tools, appliances and furniture used therewith, for any such illegal purpose, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time and was passed.

Mr. Looney moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP HOUSE BILL NO. 42.

Mr. Reedy asked unanimous consent of the House to suspend the regular order of business to take up and have placed on second reading and passage to engrossment, House bill No. 42, relating to the sale of intoxicating liquors upon physicians' prescriptions, in local option districts.

Mr. Schluter objected, insisting on the regular order.

HOUSE BILL NO. 9 ON ENGROSSMENT.

(Special Order.)

The House resumed consideration of pending business, the same being House bill No. 9 on passage to engrossment, the House considering the bill section by section and Section 1 of the bill being under consideration, with amendment by Mr. Dotson, striking out the enacting clause of the bill, pending.

Question—Shall the amendment be adopted?

Mr. Robertson of Travis offered a substitute for the amendment.

Mr. Ray raised a point of order on consideration of the substitute by Mr. Robertson of Travis, on the ground that it is not in order to consider a substitute for an amendment to strike out the enacting clause of the bill.

The Speaker sustained the point of order.

Mr. Ballengee moved to table the amendment striking out the enacting clause of the bill.

Mr. Dotson, then, by unanimous consent, withdrew the amendment.

Section 2 of the bill was read and passed over.

Section 3 of the bill was read.

Mr. Moller offered the following amendment to Section 3 of the bill:

Amend Substitute House bill No. 9 by inserting the figures "13" after the word "Section" in line 39, Section 3, page 13.

The amendment was adopted.

Section 3 of the bill was passed over.

Sections 4 and 5 of the bill were read and passed over.

Section 6 of the bill was read.

Mr. Pearson offered the following amendments to Section 6 of the bill:

(1)

Amend Substitute House bill No. 9, Section 6, line 6, after the word "carrier" insert "or person authorized to act for such agent."

(2)

Amend line 7, after the word "agent" by adding "or person so authorized to act for said agent."

The amendments were adopted.

Section 6 of the bill was passed over.

Sections 7 and 8 of the bill were read and passed over.

Section 9 of the bill was read and passed over.

Mr. Moller offered the following amendment to the bill:

Amend House bill No. 9 by striking out Sections Nos. 10, 11 and 12 and renumbering the remaining sections so that the same will be consecutive as follows, to wit, for 13 insert 10, for 14 insert 11, for 15 insert 12, for 16 insert 13, for 17 insert 14, for 18 insert 15, for 19 insert 16, for 20 insert 17, for 21 insert 18; and amend line 39, page 13, Section 3, by inserting after the word "section," "10."

MOLLER,
CURETON.

Question—Shall the amendment be adopted?

Yeas and nays were demanded, and

the amendment was adopted by the following vote:

Yeas—65.

Anderson.	Kennedy.
Aston.	Leach.
Baker of Panola.	Looney.
Barrett.	Maddox.
Bartlett.	Maxwell.
Bell.	McDonald.
Boswell.	McKinney.
Bowles.	Minton.
Branch.	Munson.
Briscoe.	Nelson of Hopkins.
Brookshire.	Nickels.
Brownlee.	O'Bryan.
Buchanan.	O'Bryan.
Cable.	Pearson.
Canales.	Perkins.
Cathey.	Pharr.
Caves.	Ray.
Cox.	Robertson of
Craven.	Travis.
Crockett of	Schluter.
Mitchell.	Schofield.
Currey.	Self.
Dalby.	Smith.
Dotson.	Stamps.
Elliott.	Standifer.
Fant.	Stepter.
Graham.	Tarver.
Haxthausen.	Terrell of Bexar.
Highsmith.	Tillotson.
Hill.	Turner.
Hurt.	Vaughan.
Jackson.	Wilburn.
Jennings.	Wortham.
Johnston.	

Nays—38.

Adams.	McDaniel.
Baker of Hood.	Moller.
Ballengee.	Morris.
Bierschwale.	Nelson of
Bogard.	Kaufman.
Bostic.	Odom.
Crisp.	Porter.
Cureton.	Reedy.
Davis.	Reid.
Driggers.	Roach.
German.	Roberson of Erath.
Gilmore.	Robertson of Bell.
Goodman.	Ross.
Hamilton of	Stephenson.
Childress.	Stratton.
Hamilton of	Terrell of
McCulloch.	Cherokee.
Harman.	Von Rosenberg.
Humphrey.	Watson.
Johnson.	Werner.
Mason.	Wilson.

Present—Not Voting.

Lee.

Absent.

Brooks.	Chaney.
Byrne.	Fitzhugh.

Flournoy.	McGown.
Fuller.	McLain.
Keeble.	Rabb.
Lawson.	Rayburn.
Lively.	Spradley.
Matthews.	Wahrmund.
McCallum.	

Absent—Excused.

Brown.	Ralston.
Crawford.	Stead.
Crockett of	Strickland.
Washington.	Turney.
Luce.	Walter.
Penn.	Yantis.

Mr. McDaniel offered the following amendment to the bill:

Amend the committee substitute for House bill No. 9 by inserting as Section 9a the following:

"It shall be the duty of the local freight agent of every carrier in this State or the person authorized to act for him or in his place on request of the shipper to call upon two disinterested parties, reputable resident citizens of the city, town or village at the point of shipment to attest the signature to any bill of lading signed by said agent or his representative issued for cotton, cotton linters, cotton seed meal or cotton seed cake. Such attesting signers to certify that such bill of lading was signed by such agent or the person authorized to act for him in their presence."

The amendment was adopted.

Question—Shall House bill No. 9 be passed to engrossment?

SENATE BILL NO. 20 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on second reading and passage to third reading,

Senate bill No. 20, A bill to be entitled "An Act making an appropriation for a deficiency in support of the State government for the fiscal year ending August 31, 1910, being to pay for the services of a clerk employed by the Tax Commissioner of the State of Texas, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to third reading?

Mr. O'Bryan offered the following amendment to the bill:

Amend Senate bill No. 20 by inserting at the end of Section 1 the following words: "For Secretary of State's office the sum of seventy-five (\$75) dollars, or so much thereof as may be necessary, for the purpose of preparing for

publication the laws passed by the Third Called Session of the Thirty-first Legislature; and sixty-one thousand five hundred and eighty-two (\$61,582.50) and fifty one-hundredths dollars for the purpose of paying the interest due and unpaid up to September 1, 1910, upon one million fifty-five thousand and seven hundred (\$1,055,700) dollars of bonds of the State of Texas refunded by this Called Session of the Thirty-first Legislature," and amend the caption to correspond with this amendment.

O'BRYAN,
COX,
RAYBURN.

The amendment was adopted.

Senate bill No. 20 was passed to third reading.

SENATE BILL NO. 20 ON THIRD READING.

Mr. Gilmore moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 20 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Adams.	Fant.
Anderson.	German.
Aston.	Gilmore.
Baker of Hood.	Goodman.
Baker of Panola.	Graham.
Ballengee.	Hamilton of
Barrett.	Childress.
Bartlett.	Hamilton of
Bell.	McCulloch.
Bierschwale.	Harman.
Bostic.	Haxthausen.
Boswell.	Highsmith.
Bowles.	Hill.
Branch.	Humphrey.
Briscoe.	Hunt.
Brooks.	Jackson.
Brookshire.	Jennings.
Brownlee.	Johnson.
Buchanan.	Johnston.
Byrne.	Kennedy.
Cable.	Leach.
Canales.	Lee.
Cathey.	Looney.
Cox.	Maddox.
Craven.	Mason.
Crisp.	Maxwell.
Crockett of	McCallum.
Mitchell.	McDaniel.
Currey.	McDonald.
Dalby.	McKinney.
Davis.	Minton.
Dotson.	Moller.
Driggers.	Morris.
Elliott.	Munson.

Nelson of Hopkins.	Schofield.
Nelson of	Self.
Kaufman.	Smith.
Nickels.	Stamps.
O'Bryan.	Standifer.
O'Bryant.	Stephenson.
Odom.	Stepter.
Pearson.	Stratton.
Perkins.	Tarver.
Pharr.	Terrell of Bexar.
Porter.	Terrell of
Rayburn.	Cherokee.
Reedy.	Tillotson.
Reid.	Turner.
Roach.	Vaughan.
Roberson of Erath.	Von Rosenberg.
Robertson of Bell.	Watson.
Robertson of	Werner.
Travis.	Wilburn.
Ross.	Wilson.
Schluter.	Wortham.

Present—Not Voting.

Cureton.	Flournoy.
----------	-----------

Absent.

Bogard.	Matthews.
Caves.	McGown.
Chaney.	McLain.
Fitzhugh.	Rabb.
Fuller.	Ray.
Keeble.	Spradley.
Lawson.	Stead.
Lively.	Wahrmund.

Absent—Excused.

Brown.	Ralston.
Crawford.	Strickland.
Crockett of	Turney.
Washington.	Walter.
Luce.	Yantis.
Penn.	

The Speaker laid the bill before the House and it was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—103.

Adams.	Brookshire.
Anderson.	Brownlee.
Aston.	Buchanan.
Baker of Hood.	Byrne.
Baker of Panola.	Cable.
Ballengee.	Canales.
Barrett.	Cathey.
Bartlett.	Cox.
Bell.	Craven.
Bierschwale.	Crisp.
Bostic.	Crockett of
Bowles.	Mitchell.
Branch.	Cureton.
Briscoe.	Currey.
Brooks.	Dalby.

Davis.	Nelson of
Dotson.	Kaufman.
Driggers.	Nickels.
Elliott.	O'Bryan.
Fant.	O'Bryant.
Flournoy.	Odom.
German.	Pearson.
Gilmore.	Pharr.
Goodman.	Porter.
Graham.	Rayburn.
Hamilton of	Reedy.
Childress.	Reid.
Hamilton of	Roach.
McCulloch.	Roberson of Erath.
Harman.	Robertson of Bell.
Haxthausen.	Robertson of
Highsmith.	Travis.
Hill.	Ross.
Humphrey.	Schluter.
Hunt.	Schofield.
Jackson.	Self.
Jennings.	Smith.
Johnson.	Stamps.
Johnston.	Standifer.
Kennedy.	Stephenson.
Leach.	Stepter.
Lee.	Stratton.
Looney.	Tarver.
Maddox.	Terrell of
Mason.	Cherokee.
Maxwell.	Tillotson.
McCallum.	Turner.
McDaniel.	Vaughan.
McDonald.	Von Rosenberg.
McKinney.	Watson.
Minton.	Werner.
Moller.	Wilburn.
Morris.	Wilson.
Munson.	Wortham.
Nelson of Hopkins.	

Absent.

Bogard.	Matthews.
Boswell.	McGown.
Caves.	McLain.
Chaney.	Perkins.
Fitzhugh.	Rabb.
Fuller.	Ray.
Keeble.	Spradley.
Lawson.	Terrell of Bexar.
Lively.	Wahrmund.

Absent—Excused.

Brown.	Ralston.
Crawford.	Stead.
Crockett of	Strickland.
Washington.	Turney.
Luce.	Walter.
Penn.	Yantis.

HOUSE BILL NO. 9 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 9 on its passage to engrossment, the

House considering the bill section by section and all the sections of the bill down to and including Section 12 having been considered.

(Mr. Robertson of Bell in the chair.)

Sections 13 and 14 of the bill were read and passed over.

Section 15 of the bill was read.

Mr. Moller offered the following amendment to Section 15 of the bill:

Amend committee substitute for House bill No. 9, Section 15, line 18, after the word "six," by striking out the words "ten or eleven."

BUCHANAN,
MOLLER.

The amendment was adopted.

Mr. McDaniel offered the following amendment to Section 15 of the bill:

Amend by inserting in line 18, page 18, after the word "6" the words "or 9a."

The amendment was adopted.

Section 15 of the bill was passed over.

Section 16 of the bill was read.

Mr. Tarver offered the following amendment to Section 16 of the bill:

Amend the committee substitute for House bill No. 9, Section 16, page 18, line 30, by striking out all after the word "of" and inserting in lieu thereof the following: "A misdemeanor and upon conviction shall be punished for such offense by a fine not exceeding five thousand dollars and by imprisonment in the county jail for a term not exceeding two years."

The amendment was adopted.

Section 16 of the bill was passed over.

Sections 17, 18 and 19 were read and passed over.

Mr. Dotson offered the following amendment to Section 20 of the bill:

Amend substitute for House bill No. 9, page 19, by striking out Section 20.

On motion of Mr. Cureton, the amendment was tabled.

Section 20 of the bill was passed over.

Section 21 of the bill was read and passed.

Question—Shall the bill be passed to engrossment?

Mr. Dotson offered the following amendment to the bill:

Amend House bill No. 9 by striking out line 20, page 2, and line 12, page 13, which is the enacting clause.

Mr. Moller moved to table the amendment.

Question—Shall the motion to table prevail?

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—69.

Adams.	Lee.
Anderson.	Looney.
Aston.	Maddox.
Baker of Hood.	Mason.
Ballengee.	Maxwell.
Barrett.	McCallum.
Bartlett.	McDaniel.
Bell.	McKinney.
Bogard.	Moller.
Boswell.	Morris.
Bowles.	Munson.
Branch.	Nelson of Hopkins.
Briscoe.	Nelson of
Brookshire.	Kaufman.
Brownlee.	Nickels.
Canales.	O'Bryant.
Caves.	Odom.
Crawford.	Pharr.
Crisp.	Porter.
Crockett of	Reedy.
Mitchell.	Reid.
Cureton.	Roach.
Currey.	Roberson of Erath.
Dalby.	Robertson of Bell.
Davis.	Robertson of
Driggers.	Travis.
Fant.	Ross.
Fuller.	Smith.
German.	Stamps.
Gilmore.	Stephenson.
Goodman.	Stepter.
Hamilton of	Stratton.
Childress.	Tarver.
Harman.	Terrell of
Hunt.	Cherokee.
Jackson.	Vaughan.
Jennings.	Watson.
Johnston.	Wilburn.

Nays—38.

Baker of Panola.	McDonald.
Bierschwale.	Minton.
Bostic.	O'Bryan.
Buchanan.	Pearson.
Byrne.	Perkins.
Cable.	Rabb.
Cathey.	Ray.
Cox.	Rayburn.
Dotson.	Schluter.
Elliott.	Schofield.
Fitzhugh.	Self.
Flournoy.	Standifer.
Graham.	Terrell of Bexar.
Haxthausen.	Tillotson.
Highsmith.	Turner.
Humphrey.	Von Rosenberg.
Kennedy.	Werner.
Lawson.	Wilson.
Leach.	Wortham.

Present—Not Voting.

Hill.

Absent.

Brooks.

Chaney.

Craven.	Matthews.
Hamilton of	McGown.
McCulloch.	McLain.
Johnson.	Spradley.
Keeble.	Stead.
Lively.	Wahrmund.

Absent—Excused.

Brown.	Ralston.
Crockett of	Strickland.
Washington.	Turney.
Luce.	Walter.
Penn.	Yantis.

PAIRED.

Mr. Nickels (present), who would vote "nay," with Mr. Crawford (absent), who would vote "yea."

Mr. Moller offered the following amendment to the bill:

Amend committee substitute House bill No. 9 by striking out in the caption all of line 25; strike out in line 26 the three first words; strike out in line 26 all after the word "carriers" to and including the word "vessels" in line 32.

MOLLER,
CURETON.

The amendment was adopted.

Question—Shall the bill be passed to engrossment?

Yeas and nays were demanded, and the bill was passed to engrossment by the following vote:

Yeas—67.

Adams.	Hamilton of
Baker of Hood.	Childress.
Ballengee.	Harman.
Barrett.	Hunt.
Bartlett.	Jennings.
Bell.	Johnston.
Bogard.	Lee.
Boswell.	Looney.
Bowles.	Maddox.
Branch.	Mason.
Briscoe.	Maxwell.
Brookshire.	McCallum.
Brownlee.	McDaniel.
Canales.	McKinney.
Caves.	Minton.
Crisp.	Moller.
Crockett of	Morris.
Mitchell.	Munson.
Cureton.	Nelson of Hopkins.
Currey.	Nelson of
Dalby.	Kaufman.
Davis.	Odom.
Driggers.	Pharr.
Fant.	Porter.
Fuller.	Reedy.
German.	Reid.
Gilmore.	Roach.
Goodman.	Roberson of Erath.

Robertson of Bell.	Stratton.
Robertson of	Tarver.
Travis.	Terrell of
Ross.	Cherokee.
Smith.	Vaughan.
Stamps.	Watson.
Stephenson.	Wilburn.
Stepter.	

Nays—40.

Aston.	Lawson.
Baker of Panola.	Leach.
Bierschwale.	McDonald.
Bostic.	O'Bryan.
Brooks.	O'Bryant.
Buchanan.	Pearson.
Byrne.	Perkins.
Cable.	Rabb.
Cathey.	Ray.
Cox.	Rayburn.
Dotson.	Schluter.
Elliott.	Schofield.
Fitzhugh.	Self.
Graham.	Standifer.
Haxthausen.	Terrell of Bexar.
Highsmith.	Tillotson.
Hill.	Turner.
Humphrey.	Von Rosenberg.
Johnson.	Werner.
Kennedy.	Wortham.

Present—Not Voting.

Anderson.	Jackson.
-----------	----------

Absent.

Craven.	Matthews.
Flournoy.	McGown.
Hamilton of	McLain.
McCulloch.	Spradley.
Keeble.	Wahrmund.
Lively.	

Absent—Excused.

Brown.	Ralston.
Chaney.	Stead.
Crockett of	Strickland.
Washington.	Turney.
Luce.	Walter.
Penn.	Yantis.

PAIRED.

Mr. Nickels (present), who would vote "nay," with Mr. Crawford (absent), who would vote "yea."

MOTION TO SUSPEND CONSTITUTIONAL RULE.

Mr. Moller moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 9 be placed on third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—71.

Adams.	Lee.
Anderson.	Looney.
Aston.	Maddox.
Baker of Hood.	Mason.
Ballengee.	Maxwell.
Barrett.	McCallum.
Bartlett.	McDaniel.
Bell.	McKinney.
Bogard.	Minton.
Boswell.	Moller.
Bowles.	Morris.
Branch.	Munson.
Briscoe.	Nelson of Hopkins.
Brookshire.	Nelson of
Brownlee.	Kaufman.
Cable.	Nickels.
Canales.	Odom.
Caves.	Pharr.
Crisp.	Porter.
Crockett of	Reedy.
Mitchell.	Reid.
Cureton.	Roach.
Currey.	Roberson of Erath.
Dalby.	Robertson of Bell.
Davis.	Robertson of
Driggers.	Travis.
Fant.	Ross.
Fuller.	Stamps.
German.	Stephenson.
Gilmore.	Stepter.
Goodman.	Stratton.
Graham.	Tarver.
Hamilton of	Terrell of
Childress.	Cherokee.
Harman.	Vaughan.
Hunt.	Watson.
Jackson.	Wilburn.
Jennings.	Wilson.
Johnston.	

Nays—38.

Baker of Panola.	Leach.
Bierschwale.	McDonald.
Bostic.	O'Bryan.
Brooks.	O'Bryant.
Buchanan.	Pearson.
Byrne.	Rabb.
Cathey.	Ray.
Cox.	Rayburn.
Dotson.	Schluter.
Elliott.	Schofield.
Fitzhugh.	Self.
Flournoy.	Smith.
Haxthausen.	Standifer.
Highsmith.	Terrell of Bexar.
Hill.	Tillotson.
Humphrey.	Turner.
Johnson.	Von Rosenberg.
Kennedy.	Werner.
Lawson.	Wortham.

Absent.

Chaney.	Hamilton of
Craven.	McCulloch.

Keeble.	Perkins.
Lively.	Spradley.
Matthews.	Stead.
McGown.	Wahrmund.
McLain.	

Absent—Excused.

Brown.	Ralston.
Crockett of	Strickland.
Washington.	Turney.
Luce.	Walter.
Penn.	Yantis.

PAIRED.

Mr. Nickels (present), who would vote "nay," with Mr. Crawford (absent), who would vote "yea."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the
House of Representatives.

Sir: I am directed to the Senate to inform the House that the Senate has passed the following:

House bill No. 41, A bill to be entitled "An Act to amend Section 4, Article 5, of Chapter 33, Special Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' regulating the appointment and removal of officers and employees of said city, and declaring an emergency."

Respectfully,
CLYDE D. SMITH,
Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following bills:

Senate bill No. 7, "An Act to provide for the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1909, and the first day of September, 1910, for issuing other bonds at a lower rate of interest in lieu thereof; providing for the execution of such other bonds, and the manner of exchange of the new bonds, and declaring an emergency."

Senate bill No. 11, "An Act to amend Chapter 16 of the Acts of the Regular Session of the Thirty-first Legislature of the State of Texas, approved February 20, 1909, entitled 'An Act authorizing any county in the State of Texas, having

a population in excess of fifty thousand inhabitants, by the last United States census, to submit to the qualified voters the propriety of a bond issue for the construction and maintenance of causeways, viaducts, bridges and approaches across any rivers within the limits of such county, and to provide for the construction, maintenance and use of such causeways, viaducts, bridges and approaches, and declaring an emergency,' by adding thereto Sections 9a and 9b, providing a method by which counties may acquire land upon which to construct and maintain said causeways, viaducts, bridges and approaches, by condemnation and by grant from cities and counties of the right to use streets, alleys, public highways and public grounds, and to authorize counties to construct said causeways, viaducts, bridges and approaches across the lines of railway, telegraph and telephone corporations, and the method thereof, and declaring an emergency."

House bill No. 41, "An Act to amend Section 4, Article 5, of Chapter 33, Special Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' regulating the appointment and removal of officers and employees of said city, and declaring an emergency."

HOUSE BILL NO. 23 ON THIRD READING.

The Speaker laid before the House, on third reading and final passage,

House bill No. 23, A bill to be entitled "An Act to prevent the drinking of intoxicating liquors on premises owned, controlled or occupied by clubs, lodges or other associations of persons in counties, subdivisions of counties, cities and towns where the sale of intoxicating liquors has been or where the same may hereafter be legally prohibited under the laws of this State, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

HOUSE BILL NO. 42 ON SECOND READING.

On motion of Mr. Reedy, the regular order of business was suspended to take up, and have placed on second reading and passage to engrossment,

House bill No. 42, A bill to be entitled

"An Act to regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication in all territory where the sale of such liquors has been prohibited, except for sacramental and medicinal purposes, by a majority vote of the people; imposing occupation tax upon persons, firms, corporations and associations of persons selling such liquors in such territory; requiring such persons, before selling such liquors, to procure a license, and providing the terms and conditions upon which such license may be issued; requiring such persons desiring to sell such liquors in such territory to execute bonds, and prescribing the conditions of such bonds; providing that no such person shall sell such liquors except upon the prescription of a regular practicing physician, and what such prescriptions shall contain before such sale is made; and providing that persons selling such liquors shall make and file with the county attorney or county clerk certain reports, and shall so file all prescriptions filled by them, and providing that physicians issuing such prescriptions shall make certain reports of all prescriptions issued by them, and providing for their filing such reports and duplicates of all prescriptions issued by them with the county attorney; and providing for the forfeiture of the license of such physician for failing to file such reports or for filing false reports or for writing such prescriptions when patient not sick; providing for the revocation, under certain conditions, of all such license to sell liquor in such territory; and providing penalties for the violation of the provisions of this act, and declaring an emergency."

Mr. Hill moved that the House take a recess to 8 o'clock p. m. today, and the motion was lost.

The Clerk was directed to read the bill.

Pending the reading of the bill, Mr. Standifer moved that the House take a recess to 8 o'clock p. m. today, and the motion was lost.

Pending the reading of the bill, Mr. Terrell of Bexar moved to postpone further reading of the bill until next Thursday morning.

Mr. Reedy moved to table the motion to postpone.

Question—Shall the motion to postpone be tabled?

RECESS.

On motion of Mr. Adams, the House at 6 o'clock p. m., recessed to 8 o'clock p. m. today.

NIGHT SESSION.

The House met at 8 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 42 ON SECOND READING.

The House resumed consideration of pending business, same being House bill No. 42, regulating the sale of intoxicating liquors upon physicians' prescriptions in local option districts, with the motion of Mr. Terrell of Bexar to postpone further reading of the bill until next Thursday morning, and motion by Mr. Reedy to table the motion to postpone pending.

Question—Shall the motion to postpone be tabled?

Mr. Vaughan moved that the House adjourn until 9 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion to adjourn was lost by the following vote:

Yeas—24.

Baker of Panola.	Jackson.
Barrett.	Lawson.
Briscoe.	McDonald.
Byrne.	McKinney.
Cox.	Munson.
Crisp.	Pearson.
Currey.	Pharr.
Dotson.	Roberson of Erath.
German.	Tillotson.
Hamilton of	Vaughan.
Childress.	Von Rosenberg.
Hill.	Wilburn.
Humphrey.	

Nays—48.

Adams.	Gilmore.
Aston.	Graham.
Baker of Hood.	Jennings.
Ballengee.	Kennedy.
Bell.	Looney.
Bogard.	Mason.
Bostic.	McDaniel.
Boswell.	Minton.
Bowles.	Moller.
Brookshire.	Nelson of
Brownlee.	Kaufman.
Buchanan.	Nickels.
Cathey.	Odom.
Caves.	Porter.
Craven.	Rabb.
Dalby.	Reedy.
Elliott.	Reid.
Fitzhugh.	Roach.
Fuller.	Robertson of Bell.

Schofield.	Tarver.	Hamilton of	Reedy.
Self.	Terrell of Bexar.	Childress.	Roberson of Erath.
Smith.	Terrell of	Hunt.	Smith.
Stamps.	Cherokee.	Jackson.	Stamps.
Standifer.	Turner.	Lawson.	Standifer.
Stepter.	Wilson.	McDaniel.	Stepter.
		McDonald.	Stratton.
	Absent.	McKinney.	Tarver.
Anderson.	Lively.	Minton.	Tillotson.
Bartlett.	Maddox.	Munson.	Turner.
Bierschwale.	Matthews.	Nelson of Hopkins.	Vaughan.
Branch.	Maxwell.	Pearson.	Von Rosenberg.
Brooks.	McCallum.	Pharr.	Wilburn.
Cable.	McGown.	Rabb.	Wilson.
Canales.	McLain.		
Chaney.	Morris.		Nays—26.
Crockett of	Nelson of Hopkins.	Aston.	Harman.
Mitchell.	O'Bryan.	Baker of Hood.	Kennedy.
Cureton.	O'Bryant.	Baker of Panola.	Looney.
Davis.	Perkins.	Ballengee.	Nelson of
Driggers.	Ray.	Bostic.	Kaufman.
Fant.	Rayburn.	Brownlee.	Nickels.
Flournoy.	Robertson of	Byrne.	Odom.
Goodman.	Travis.	Cathey.	Porter.
Hamilton of	Ross.	Caves.	Reid.
McCulloch.	Schluter.	Craven.	Robertson of Bell.
Harman.	Spradley.	Cureton.	Schofield.
Haxthausen.	Stead.	Elliott.	Self.
Highsmith.	Stephenson.	Fitzhugh.	Stephenson.
Hunt.	Stratton.	Fuller.	Terrell of Bexar.
Johnson.	Wahrmond.	Gilmore.	
Johnston.	Watson.		Absent.
Keeble.	Werner.	Bartlett.	Maddox.
Leach.	Wortham.	Bierschwale.	Mason.
Lee.		Bogard.	Matthews.
	Absent—Excused.	Cable.	Maxwell.
Brown.	Ralston.	Canales.	McCallum.
Crawford.	Strickland.	Chaney.	McGown.
Crockett of	Turney.	Cox.	McLain.
Washington.	Walter.	Crockett of	Moller.
Luce.	Yantis.	Mitchell.	Morris.
Penn.		Dalby.	O'Bryan.
		Davis.	O'Bryant.
Mr. Terrell of Bexar moved a call of		Driggers.	Perkins.
the House, and the motion was not		Fant.	Ray.
seconded.		Flournoy.	Rayburn.
		Goodman.	Roach.
		Hamilton of	Robertson of
		McCulloch.	Travis.
		Haxthausen.	Ross.
		Highsmith.	Schluter.
		Hill.	Spradley.
		Humphrey.	Stead.
		Jennings.	Terrell of
		Johnson.	Cherokee.
		Johnston.	Wahrmond.
		Keeble.	Watson.
		Leach.	Werner.
		Lee.	Wortham.
		Lively.	
			Absent—Excused.
		Brown.	Luce.
		Crawford.	Penn.
		Crockett of	Ralston.
		Washington.	Strickland.

ADJOURNMENT.

Mr. Robertson of Bell moved that the House stand adjourned until 9:15 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion to adjourn prevailed by the following vote:

Yeas—42.

Adams.	Brooks.
Anderson.	Brookshire.
Barrett.	Buchanan.
Bell.	Crisp.
Boswell.	Currey.
Bowles.	Dotson.
Branch.	German.
Briscoe.	Graham.

Turney.
Walter.

Yantis.

The House, accordingly, at 8:20 o'clock p. m., adjourned until 9:15 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF THE COMMITTEE ON CONSTITUTIONAL AMENDMENTS.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 1, have had same under consideration, and we are instructed to report it back to the House, with a recommendation that it do pass.

HILL, Chairman.

REPORT OF THE COMMITTEE ON APPROPRIATIONS.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred Senate bill No. 20, have had same under consideration, and we are instructed to report same back to the House, with the recommendation that it do pass.

O'BRYAN, Vice Chairman.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 33, A bill to be entitled "An Act to require persons, firms, corporations and associations of persons engaged in compressing cotton in this State to so bind and tie all bales of cotton that no bale of cotton by them compressed, recompressed, baled, or re-baled shall be delivered to any railroad company or other common carrier unless the same is free from 'spiders,' exposed ends of bands, or any exposed or any obtruding part of the ties, bands,

buckles, or splices used in tying or baling such bale of cotton; and to provide penalties therefor; and prescribing the duties of the Commissioner of Labor, and providing means of reimbursing him and his deputies for expenditures in performing such duties, and declaring an emergency,"

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 34, A bill to be entitled "An Act making appropriation for the purpose of overhauling and repairing three boilers at the Deaf and Dumb Asylum, and to put them in safe working condition, providing the manner of expenditure of such appropriation, and declaring an emergency,"

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 23, A bill to be entitled "An Act to prevent the drinking of intoxicating liquors on premises owned, controlled or occupied by clubs, lodges or other associations of persons in counties, subdivisions of counties, cities and towns where the sale of intoxicating liquors has been or where the same may hereafter be legally prohibited under the laws of this State, and declaring an emergency,"

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 38, A bill to be entitled "An Act denouncing as a nuisance any place, room or building in any county, justice precinct, town, city or subdivision of a county as may be designated by the commissioners court of

said county in which the sale of intoxicating liquors have been prohibited under the laws of this State, kept or used for the purpose of selling intoxicating liquors in violation of law, also denouncing as a nuisance any intoxicating liquor kept, possessed or used for such purpose, and the tools, appliances and furniture used therewith, prescribing a suitable procedure for the search and seizure of any such liquor, tools, appliances and furniture, for the trial of the issue presented, the judgment to be rendered therein, also to prevent by means of the writ of injunction at the suit of the State or any citizen thereof the use or the contemplated use or threatened use of any such place, room or building, or the keeping of any such intoxicating liquor and the tools, appliances and furniture used therewith, for any such illegal purpose, and declaring an emergency."

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 31, A bill to be entitled "An Act making appropriations for repairing, improving and constructing a sewerage system, and for general repairs at the North Texas Hospital for the Insane, and declaring an emergency."

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 37, A bill to be entitled "An Act to amend Article 359, Chapter 4, Title 10, of the Penal Code of the State of Texas, as amended by Chapter 132 of the Acts of the Thirtieth Legislature, defining what constitutes a disorderly house, so as to include any house located in any county, justice precinct or other subdivision of a county where the sale of intoxicating liquor has been legally prohibited in which such non-intoxicating malt liquors are sold or kept for the purpose of sale as to require the seller thereof

to obtain United States revenue license as a retail malt liquor dealer, or any house where the owner, proprietor or lessee thereof has posted United States internal revenue license as a retail liquor dealer or as a retail malt liquor dealer,"

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 39, A bill to be entitled "An Act making an appropriation for a deficiency in support of the State government for the fiscal year ending August 31, 1910, being to pay for the services of a clerk employed by the Tax Commissioner of the State of Texas, and declaring an emergency."

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 44, A bill to be entitled "An Act to amend Sections 6 and 7 of Chapter 69, of the Local and Special Laws of the Thirtieth Legislature, being entitled 'An Act to amend the special road law of Van Zandt county, Texas,' as enacted by the Twenty-eighth Legislature and sent to the Governor for approval on the 18th of March, 1903, and to authorize and empower the commissioners court of said county to issue bonds for the permanent improvement of the public roads of said county, and declaring an emergency."

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 35, A bill to be entitled "An Act to require persons and corporations, or receivers, engaged in repairing railroad cars or other railroad equip-

ment, not including locomotives, to erect and maintain buildings for the protection from rain, wind or other inclement weather employes engaged in repairing railroad cars and other railroad equipment and providing penalties for the violation of this act, and regulating penalties and repealing Chapter 53, Acts of the Thirty-first Legislature of the State of Texas, entitled 'An Act to require all railroad companies doing business in this State to provide suitable premises and shelter for the protection from the weather of their employes while engaged in labor in the service of said railroad companies, and declaring an emergency,'"

And find the same correctly engrossed.
ODOM, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 41, "An Act to amend Section 4, Article 5, of Chapter 33, Special Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' regulating the appointment and removal of officers and employes of said city, and declaring an emergency,"

And find the same correctly enrolled, and did this day at 5:37 p. m. present same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,
Austin, Texas, August 15, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 5, "An Act to prohibit the exhibition of prize fights or glove contests and any obscene, indecent or immoral show or exhibition by means of moving picture films, bioscopes, magic lanterns or other devices in moving picture shows, theaters or any other place whatsoever, by any person, association, corporation or any agent or employe of any person, association, corporation or

receiver, firm or person; providing penalties therefor, and to repeal all laws in conflict with this act; and providing that this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas, and declaring an emergency,"

And find the same correctly enrolled, and did this day, at 9:47 o'clock a. m., present the same to the Governor for his signature.

SCHOFIELD, Chairman.

EIGHTEENTH DAY.

Hall of the House of Representatives,
Austin, Texas,

Tuesday, August 16, 1910.

The House met at 9:15 o'clock a. m., pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following members were present:

Adams.	Flournoy.
Anderson.	Fuller.
Aston.	German.
Baker of Hood.	Gilmore.
Baker of Panola.	Goodman.
Ballengee.	Graham.
Barrett.	Hamilton of
Bell.	Childress.
Bierschwale.	Hamilton of
Bogard.	McCulloch.
Bostic.	Harman.
Boswell.	Haxthausen.
Bowles.	Highsmith.
Branch.	Hill.
Briscoe.	Humphrey.
Brooks.	Hunt.
Brookshire.	Jackson.
Brownlee.	Jennings.
Buchanan.	Johnson.
Byrne.	Johnston.
Cable.	Kennedy.
Canales.	Lawson.
Cathey.	Leach.
Caves.	Lee.
Cox.	Looney.
Craven.	Luce.
Crawford.	Maddox.
Crisp.	Mason.
Crockett of	Maxwell.
Mitchell.	McCallum.
Cureton.	McDaniel.
Currey.	McDonald.
Dalby.	McKinney.
Dotson.	Minton.
Driggers.	Moller.
Elliott.	Morris.
Fant.	Munson.
Fitzhugh.	Nelson of Hopkins.